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**FILED**

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CLERK US DISTRICT COURT  
DISTRICT OF ARIZONA

**CR22-02232 TUC-JGZ(EJM)**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

United States of America,  
  
Plaintiff,  
  
vs.  
  
Josue Lopez Quintana,  
  
Defendant.

**INDICTMENT**

Violation:

18 U.S.C. § 1001(a)(2)  
(False Statement to Government Agency)  
Count 1

**THE GRAND JURY CHARGES:**

**Introductory Allegations**

1. On or about November 5, 2021, G.S. asked Defendant JOSUE LOPEZ QUINTANA ("QUINTANA") to purchase a Sharps Bros MFG model Livewire, multi-caliber lower receiver ("lower receiver") for G.S. and QUINTANA agreed.
2. On or about November 15, 2021, Defendant QUINTANA, purchased the lower receiver on-line and had it shipped to a federal firearms licensee (FFL) in Tucson, Arizona.
3. On or about November 22, 2021, Defendant QUINTANA picked up the lower receiver from the FFL and completed Bureau of Alcohol, Tobacco, and Firearms (ATF) Form 4473, which records information about the buyer.

1           4.     On Form 4473, defendant QUINTANA was asked if he was the “actual  
2 transferee/buyer” and QUINTANA checked the “yes” box.

3           5.     However, at the time defendant QUINTANA purchased and later picked up  
4 the lower receiver, Defendant QUINTANA knew that he was not the actual  
5 transferee/buyer and that this statement was false because he purchased the lower  
6 receiver on behalf of G.S.  
7

8           6.     On August 25, 2022, ATF agents responded to a crime scene in Tucson,  
9 Arizona, to assist the Tucson Police Department.  
10

11           7.     At the crime scene, investigators recovered a Sharps Bros MFG model  
12 Livewire, 5.56 NATO / .223 REM short-barreled rifle (“rifle”) bearing serial number  
13 L03296 that was believed to have been used in the crime.  
14

15           8.     The ATF agents, using the serial number on the lower receiver from the  
16 recovered rifle and Form 4473, determined that the lower receiver was purchased and  
17 picked up by Defendant QUINTANA from a Tucson, Arizona, FFL on November 22,  
18 2021.  
19

20           9.     On August 26, 2022, an agent from the ATF and an agent from the  
21 Department of Homeland Security Investigations interviewed defendant QUINTANA.  
22 Defendant QUINTANA told the law enforcement agents that he purchased the lower  
23 receiver for himself when he knew this was false because he purchased the lower receiver  
24 on behalf of G.S.  
25  
26  
27  
28

**COUNT 1**  
**Title 18 U.S.C. § 1001(a)(2)**  
**(False Statements to Government Agency)**

The introductory allegations in paragraphs 1. through 9. are re-alleged and incorporated by reference as if fully set forth herein.

10. On or about August 26, 2022, at or near Tucson, in the District of Arizona, defendant JOSUE LOPEZ QUINTANA did willfully and knowingly make a materially false, fictitious, and fraudulent statement and representation in a matter within the jurisdiction of the executive branch of the Government of the United States, Department of Justice, Bureau of Alcohol, Tobacco, and Firearms (ATF), by falsely stating to an ATF agent that when he purchased a Sharps Bros MFG model Livewire, multi-caliber lower receiver ("lower receiver") bearing serial number L03296, on or about November 22, 2021, JOSUE LOPEZ QUINTANA was the actual transferee/buyer of the lower receiver, when JOSUE LOPEZ QUINTANA then and there knew that he purchased the lower receiver on behalf of G.S. and that this statement and representation was false. All in violation of Title 18, United States Code, Section 1001(a)(2).

A TRUE BILL

**/ s /**

FOREPERSON OF THE GRAND JURY  
Dated: October 12, 2022

GARY M. RESTAINO  
United States Attorney  
District of Arizona

REDACTED FOR  
PUBLIC DISCLOSURE

**/ s /**  
Jane L. Westby  
Assistant U.S. Attorney